

IN THE UNITED STATES DISTRICT COURT FOR
THE WESTERN DISTRICT OF OKLAHOMA

FILED

APR 25 2007

LAWRENCE RAY MAY,)
Petitioner,)
vs.)
MIKE ADDISON,)
Respondent.)

ROBERT D. DENNIS, CLERK
U.S. DIST. COURT, WESTERN DIST. OF OKLA.
BY *[Signature]* DEPUTY

No. CIV-07-367-W

ORDER

On April 4, 2007, United States Magistrate Judge Bana Roberts issued a Report and Recommendation in this matter and recommended that the Court transfer this action pursuant to title 28, section 2241(d) of the United States Code to the United States District Court for the Eastern District of Oklahoma. Petitioner Lawrence Ray May was advised of his right to object to the Report and Recommendation, but he did not file an objection within the allotted time.

Upon de novo review of the record, the Court concurs with Magistrate Judge Roberts' suggested disposition of this matter. Section 2241(d) requires that petitions for writs of habeas corpus filed by state prisoners under title 28, section 2254 of the United States Code be filed "in the district court for the district wherein . . . [the petitioner] is in custody or in the district court for the district within which the State court was held which convicted and sentenced him . . ." 28 U.S.C. § 2241(d).

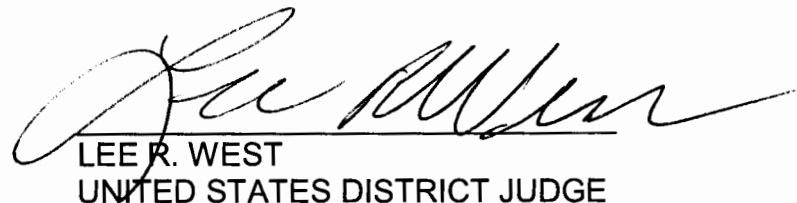
May was convicted and sentenced in the District Court of Bryan County, Oklahoma, which is located within the territorial jurisdiction of the Eastern District of Oklahoma. May is incarcerated in the Joseph Harp Correctional Center, which is located in the Western

District of Oklahoma. Accordingly, pursuant to section 2241(d), the United States District Courts for the Eastern and Western Districts of Oklahoma have concurrent jurisdiction to entertain the Petition for a Writ of Habeas Corpus ("Petition") filed by May.

In the absence of any objection and because relevant factors weigh in support of a transfer, the Court

- (1) ADOPTS the Report and Recommendation issued on April 4, 2007; and
- (2) DIRECTS the Clerk of the Court to transfer May's Petition file-stamped March 29, 2007, to the United States District Court for the Eastern District of Oklahoma.

ENTERED this 25th day of April, 2007.



LEE R. WEST
UNITED STATES DISTRICT JUDGE